

Notice of Allowability

Application No.

10/786,486

Examiner

Robert J. Sandy

Applicant(s)

AUSEN ET AL.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the reply filed 9/15/05 and the 9/29/05 interview.
2. ☒ The allowed claim(s) is/are 1,4 and 6-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date with this paper.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William J. Bond (Reg. No. 32,400) on 29 September 2005.

The application has been amended as follows:

1 (currently amended). A unitary film structure of a polymeric resin comprising a film base layer having generally parallel upper and lower major surfaces and having projections being arranged in rows with at least 50 spaced projections per centimeter in a row projecting from at least the upper major surface of said film base layer, wherein the projections are hook members which have base portions and head portions that extend in a direction transverse to the direction of rows of the hook members.

4 (currently amended). A unitary hook fastener according to claim [2] 1 wherein said polymeric material is a thermoplastic resin and the hook head has rounded corners.

6 (currently amended). A unitary hook fastener according to claim [5] 1 wherein said polymeric ~~material~~ resin comprises polyethylene, polypropylene, polypropylene-polyethylene copolymers or blends thereof.

7 (currently amended). The unitary hook fastener according to claim [2] 1 wherein at least the hook head portion has a molecular orientation of less than 10 percent.

EXAMINER'S COMMENT

Applicant's cancellation of claims 2, 3 and 5, amendments to claims 1, 4, 6 and 7, authorized herein and submitted in the responses filed 20 July 2005, 17 August 2005, and 15 September 2005, and addition of new dependant claims 10-12, present the pending claims in condition for allowance.

Applicant has amended independent claim 1 to incorporated the allowable subject matter indicated in the prior Office action mailed 15 June 2005. All claim objections and rejections under 35 USC § 102 and §112, 2nd paragraph, cited in the formal Office action have been withdrawn in view of applicant's cancellation of the originally filed claim.

The drawing objection indicated in the prior Office action (mailed 6/15/2005) has been withdrawn since Fig. 4 support a showing of the claimed "spaced projections".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Sandy whose telephone number is 571-272-7073. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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